

TITLE: AAP Policy on Conflict of Interest and Relationships with Industry and Other Organizations

BOARD POLICY:

Introduction

The mission of the American Academy of Pediatrics (AAP) is to attain optimal physical, mental, and social health and well being for all infants, children, adolescents, and young adults. To accomplish this mission, the AAP shall support the professional needs of its members. The maintenance of public trust and the AAP's integrity, ethical standards, credibility, and identify are of paramount importance in accomplishing that mission and will be protected with the utmost vigilance.

The AAP collaborates with certain organizations and monitors and complies with their industry guidelines (eg, the American Medical Association, the Accreditation Council for Continuing Medical Education, Council of Medical Specialty Societies, and the Office of the Inspector General).

The policy outlined in this document serves as a general guide for the AAP at the national level to address conflicts of interest and relationships with industry and other organizations (eg, corporations, government agencies, and foundations hereafter referred to as "organizations") (See appendix 1 for definitions of additional verbage used herein).

The AAP recognizes that professionals—especially those involved in policy-making, research, education, standard-setting, fund-raising or advocacy—are subject to conflicts of interest (COI). Therefore, the AAP considers it unwise to embrace a general policy which would prevent participation in AAP affairs by individuals having relationships which may be perceived as COI's. The existence of an actual or current COI does not necessarily imply fault or wrong doing on the part of an individual. The AAP policy requires disclosure of financial or other relationships which may be regarded as possibly influencing actions taken or statements made under the aegis of the organization. The AAP recognizes the need to have a policy that ensures proper balance, independence, objectivity and scientific rigor in governance and in education, research, health policy and all other activities sponsored by the AAP. Careful compliance will inspire confidence, will avoid both actual bias and the appearance of bias, and will comply with legal and regulatory standards. The AAP requires that prior to participating in AAP programs, all individuals without exception, make full and effective disclosure of their relationship related in any way to healthcare or to their AAP activities, business transactions, presentations or publications. The AAP requires that all such disclosures be made and presented in a manner that will allow others to make informed decisions about the existence and/or impact of a COI. If a conflict is identified, it will be resolved according to clearly defined and promulgated procedures.

Conflict of Interest

There are potential and real conflicts of interest that may affect an individual's opinion, may appear to make that opinion self-serving, or might not allow for impartial objective determinations. These situations include but are not limited to relationships with providers of services and manufacturers of products. Any potential or real conflicts of interest in decision-making and principled interactions with industry and other organizations shall be disclosed and resolved.

Suitability of Relationship

The AAP acknowledges that opportunities and resources (including non-dues revenue) exist and the AAP will therefore seek partnerships that can serve to further its mission, provided that these relationships are in agreement with its core values. The AAP will develop relationships with organizations that, through their products, activities, and/or their philosophy, enhance the quality of life for children and their families and are aligned with the AAP's values and mission. Partnerships that provide no clear advantage to child health or medical care, or no professional or educational benefit relating to the practice of pediatrics will not be considered for AAP participation. Industry funding will not be accepted for any part of a meeting of an AAP deliberative body at which AAP business or policy development is the primary focus, including the development of practice guidelines.

Objectivity, Editorial Control, and Quality

The AAP wishes all points of view to be vigorously and actively expressed in the formulation of policies and recommendations at all levels in the organization. The policies of the AAP, the statements of its committees, sections, councils, and task forces, AAP educational programs and all other AAP communications on matters relating to the health and well-being of children as well as to the practice of pediatrics should be free from personal bias and from outside influences not related to the best interests of children and their families.

Support of AAP programs does not permit influence over content, nor does it imply AAP approval or endorsement of an organization's policies or products, whether a program is funded by a single source or multiple sources. For programs developed by an external organization for which AAP collaboration is sought, the AAP will require review of all program-related materials to ensure that quality and accuracy are in accordance with the standards of AAP materials and comply with acceptable medical practice. Distribution plans must also be reviewed by the AAP. In some cases, the AAP will allow the use of its name and logo to signify its participation in these worthwhile collaborations, subject to appropriate limitations to protect the integrity of its name and logo. The AAP name and logo must never be used as an endorsement, either actual or implied, of an organization or a commercial product or service.

Review Process

The Board of Directors has overall responsibility for the AAP's relationships with industry and other organizations, and for resolving matters where conflicts of interest are present. Programs must be approved by the Board of Directors or through the procedures adopted by the Board before outside funding can be sought or accepted.

Oversight: Board of Directors

Creation/Revision Date: 1/05, rev. 5/10

TITLE: *Conflict of Interest and Disclosure*

BOARD POLICY:

Introduction

Decisions by the officers, committees, councils, section executive committees, and others on behalf of the AAP and AAP's statements, publications, and recommendations have far reaching significance and consequences. There are potential and real conflicts of interest that may affect an individual's opinion or may appear to make that opinion self-serving.

Conflicts of interest are present in situations that might not allow for impartial or objective determinations. These situations include but are not limited to relationships with providers of services and manufacturers of products. This would encompass the receipt of research support or lecture honoraria from such sources.

The AAP does not wish to exclude individuals who are experts in given fields from participation in policy formulation or other activities on behalf of the AAP merely because they have other relationships that may give rise to conflicts of interest. However, the validity of AAP recommendations and the AAP's reputation are based on confidence in its integrity and the belief by AAP members and the public that its policies are unbiased and based only on concerns for the best interests of children, families, and health care professionals. For these reasons strict adherence to the procedures for disclosure and resolution of real and potential conflicts of interest that follow is required.

Conflict of Commitment

Key society leaders (Elected and appointed officials, Executive Staff, etc) must report any direct financial relationships or conflicts of commitment with companies or entities, whether paid or unpaid. No key society leader may have direct financial relationships that create real or perceived conflict during their term of service.

Conflicts of commitment occur when the time or effort that an employee devotes to external activities interferes with the employee's fulfillment of assigned AAP responsibilities, or when an employee makes unauthorized use of Academy resources in the course of an external activity. External activity means involvement with any person, trust, organization, enterprise, government agency, or other entity that is not an entity associated with or under the control of AAP.

AAP staff and key volunteer leadership are expected to have their primary commitment of time and intellectual energies to the education, advocacy, research and scholarship programs of the Academy. The specific responsibilities and professional activities that constitute an appropriate and primary commitment will differ, but they should be based on a general understanding between the staff member and his or her department director or the OED.

Even with such understandings in place, however, attempts by staff to balance AAP responsibilities with external activities - such as consulting, public service or pro bono work - can result in conflicts regarding allocation of time and energies. Conflicts of commitment usually involve issues of time allocation. Whenever an individual's outside activities exceed permitted limits, or whenever a full-time staff member's primary professional loyalty is not to AAP, a conflict of commitment exists.

The participation of employees in external activities that enhance their professional skills and constitute public service can be beneficial to the AAP as well as the individual employee. External activities provide an opportunity to discover and pass on knowledge, with the formation of alliances that enhance the AAP mission. Employees are encouraged to participate and provide leadership in professional organizations, panels, committees, and other broadly defined public and professional service opportunities. These interactions can enhance relationships with a wide variety of governmental, business and not-for-profit entities that enhance the AAP missions.

External activities can lead to conflicts of commitment with regard to an employee's Academy responsibilities, along with the misuse of AAP resources. This policy is intended to serve as a guide for recognizing and managing employee conflicts of commitment, and whenever possible, to prevent even the appearance of conflicts of commitment.

AAP employees are expected to devote their work activities to official functions of the Academy, and to use AAP resources only in the interest of the Academy. An employee may not commit AAP resources to activities not in the interest of the Academy. AAP employees should not allow external activities to impede the fulfillment of Academy responsibilities.

External activities not related to AAP responsibilities shall take place outside of the employee's designated work activities or during periods of authorized leave. External activities for which paid or unpaid leave should be used include, but are not limited to providing non-AAP related services to another entity, including a corporation, business, association, government agency or not-for-profit organization, as an officer, director, owner, agent, consultant, or employee, or providing services as a voluntary or paid expert witness in any civil or criminal case.

Employees shall not accept any compensation from another agency or entity or individual for work performed in the course of their employment at the Academy, except under very limited circumstances such as payments from government or not-for-profit entities for participation on advisory committees or review panels.

1. Employees shall not use any resource (facilities, supplies, equipment or other resources) for external activities that has a material cost to the AAP.
2. Except as approved in advance by the OED, employees shall not use the AAP name or trademark in such a manner to suggest institutional endorsement or support of an outside activity or non-AAP product or service, nor use Academy business cards or stationery in such a manner to suggest institutional endorsement or support of an outside activity or non-AAP product or service.
3. Employees shall make clear, when engaging in external activities, that they are acting and speaking in their individual capacity and not as representatives or agents of the AAP.
4. Employees shall not disclose any non-public or confidential information concerning the AAP operations, employees, or members, except that this provision shall not affect any person's right to report suspected illegal activity under applicable law.

Disclosure

It is required that all AAP officers; members of the AAP Board of Directors; members of AAP committees, councils, section executive committees, and task forces; consultants; faculty; employees; and others acting on behalf of the AAP will openly disclose any real and potential conflicts of interest. Candidates for elected or appointed AAP positions will be informed of and asked to comply with the COI policy prior to initiating an activity or term.

It is required that appointed and elected members of AAP entities and editors of AAP publications will sign the AAP Voluntary Disclosure Statement at the beginning of each term of service and updated no less than annually. They will receive relevant parts of the policy that provide examples of the types of interests that should be reported.

All candidates for elected office (defined as candidates for the positions of President-elect, district chair, district vice chair, and National Nominating Committee representative), upon selection as candidates, shall be provided with the Academy Conflict of Interest statement and shall be required to complete the voluntary disclosure information.

Although disclosure input is universal and uniform, output will be limited or varied by one's role, audience, activity or program with the AAP. Personal information entered by individuals during the COI process will not be publically disclosed beyond the necessities of the AAP role or activity in question. An internal review policy will seek to limit the output of relevant program requirements.

Management of Conflicts

When a real or potential conflict exists, the appropriate committee, section and council executive committees, task force, or other entity within the AAP should immediately be informed by the individual whose outside interest gives rise to the conflict. If the conflict is *de minimis* (not likely to have any impact on the AAP matter in question) the individual will under many circumstances be entitled to participate in the discussions on the matter after making full disclosure of the conflict to the committee or other AAP entity that has the matter under consideration. The interested individual should participate in drafting AAP statements and communications relevant to the matter ONLY after the conflict has been declared and if specifically asked to do so by the chairperson of the affected committee, council, section executive committees, task force, or other AAP entity.

If the chairperson of the affected committee, section and council executive committees, task force, or other AAP entity finds that the circumstances surrounding the conflict warrant the imposition of greater restrictions than those outlined above, the Office of the Executive Director (OED) and the Executive Committee of the AAP Board will determine the level of restriction. When the conflict or perceived conflict is greater than *de minimis*, the involved individual may be requested to recuse himself/herself from participation, including in discussion of or voting on recommendations or any other AAP matter relevant to the outside interest giving rise to the conflict. In these cases, the interested individual may be excluded from some or all of the discussions on the matter under consideration or asked to resign from either the outside position giving rise to the conflict or the AAP position affected by the conflict.

In the event of a dispute respecting the appropriate management in any situation involving a real or potential conflict of interest with an AAP matter, the Board of Directors of the AAP shall have the final authority to determine whether, in fact, a conflict exists and how that conflict should be managed or resolved. An Executive Committee-appointed group of three Board members will serve as arbitrators of a final decision to an appeal process for a conflict of interest. Their decision would be dispositive, for inclusion in the Board Policy and Procedures Manual.

In all cases, conflicts and their restrictions and other disposition need to be officially documented in an appropriate set of minutes. Those participating in conflict of interest resolution will be listed by name and will also be required to have a completed disclosure form on file.

Conflict of Interest and CME

As a CME provider accredited by the Accreditation Council for Continuing Medical Education (ACCME), the AAP must ensure balance, independence, objectivity, and scientific rigor in all its directly sponsored and jointly sponsored educational activities. Everyone who is in a position to influence and/or control of the content of an educational activity (ie, faculty, authors, planning groups, editorial boards, etc) must disclose to the AAP and subsequently to learners all relevant financial and other relationships with any commercial interest that might otherwise give rise to a conflict of interest. The ACCME defines "relevant financial relationships" as financial relationships in any amount occurring within the past 12 months that create a conflict of interest.

The ACCME defines a “commercial interest” as any entity producing, marketing, re-selling, or distributing health care goods or services consumed by, or used on patients.

Any individual who refuses to disclose such relevant financial relationships will be disqualified from being a planning committee member, faculty, or an author of CME, and cannot have control of or responsibility for the development, management, presentation, or evaluation of the CME activity.

The AAP has implemented a mechanism to identify and resolve all conflicts of interest prior to the education activity being delivered to learners.

Research and Publishing Disclosures

As an organization conducting scientific research the AAP must ensure independence and transparency in conducting and publishing its research. For all of its research, the AAP adheres to the conflict of interest definitions and regulations established by the federal government for Public Health Service funded research (42 CFR Part 50, Subpart F), and has established corresponding written procedures and reporting requirements for research projects. The purpose of these policies is to ensure there is no reasonable expectation that the design, conduct, or reporting of research will be biased by any conflicting financial interest of an Investigator.

Authors submitting articles and content for AAP medical journals, professional periodicals, professional publications, consumer publications, and other content published by the AAP (regardless of delivery media), including individuals identified as primary authors of AAP policy statements, clinical reports, and technical reports (PS/CR/TR), will be required with each submission to declare whether they have a conflict of interest or any outside relationship that might give rise to a real or apparent conflict of interest.

Such declaration will affirm that an author does not have any financial interest (eg, employment, direct/indirect payments, stock holdings, retainers, consultantships, patent-licensing arrangements, honoraria, grants, or research support), or other involvement within the last three years with any commercial organization with a direct financial interest in the subject or materials discussed. The author(s) of policy statements, clinical reports, and technical reports are required to complete an author(s) COI form at the start of the intent for PS/CR/TR and subsequently, at least annually. If no conflict of interest is declared, a statement to that effect may be published with the article. Any disclosed conflict of interest may be published with the article at the editor's discretion. Reviewers of AAP manuscripts for publication will be required to declare whether a conflict of interest exists for each manuscript reviewed, which declaration shall include a statement to protect the confidentiality of the manuscript until publication. Each editorial board member must comply with the AAP Conflict of Interest policy. In some cases, editorial board members may be asked to reaffirm such compliance periodically throughout the year.

Acting on Behalf of the AAP

All AAP officers, members of the Board of Directors, and other AAP key leaders must avoid being influenced by any conflict of interest when acting on behalf of the AAP. This includes an obligation to preserve the confidentiality of all information concerning the AAP that is not publicly known or disseminated. No one acting on behalf of the AAP should use privileged AAP information to benefit personally or to gain advantage in opportunities competing with AAP interests.

Oversight: Board of Directors

Creation/Revision Date: Rev. 1/05; 10/08, 5/10, 1/12

TITLE: *Endorsement/Support of Programs*

BOARD POLICY:

Criteria for AAP Involvement

Any program with which the AAP is involved must be focused on children and/or pediatrics and its subspecialties, support an AAP goal or objective, or meet an emerging critical need and advance at least one of the following areas:

- Child health
- Advocacy
- Public education
- Physician/health professional education
- Child health research
- Health care delivery, including preventive services

All programs must 1) meet the highest standards of quality in program content and presentation; 2) contain accurate medical information; 3) not be influenced by conflicts of interest among the AAP, the outside organization, and the subject of the program itself; 4) not be used to endorse or promote directly a commercial product; 5) be consistent with current AAP goals, objectives, and policy or meet an emerging, critical need; and 6) have AAP involvement, both in the development and distribution of content and products.

Financial or In-kind Support From Corporations, Foundations, and Other Organizations

The AAP accepts financial or in-kind support from corporations, foundations, and other organizations only if such acceptance would not conflict with the principles of medical ethics and acceptable medical practice, would not pose a conflict of interest as defined herein, and in no way would impair the AAP's objectivity, influence, priorities, and actions. All requests for outside funding must be coordinated with the AAP Department of Development.

Industry funding (ie: pharma, medical devices, etc) will not be accepted for a meeting of an AAP deliberative body at which AAP business or policy development is the primary focus, including the development of practice guidelines.

The AAP will not accept industry funds to support the development of a clinical report, technical report, policy statement or practice guidelines. Additionally, the AAP will not endorse guidelines knowingly developed by other organizations if industry funds were used wholly or in part to develop the guidelines. The AAP may accept industry funds for dissemination and implementation of clinical guidelines and other policies after they are finalized.

Royalties for AAP Content

When a program that has not been developed by the AAP is endorsed by it, the AAP reserves the right to enter into contracts with the outside organization for compensation, which may include a one-time fee and/or royalties. All such agreements will be subject to the AAP scrutiny and approval process. In such relationships, the AAP will review and approve all editorial content, language, and graphics, including promotion and marketing materials, that will be associated with the AAP name and/or logo, as well as the specific use of the AAP name and logo, prior to printing and/or distribution of the program. Any modification of the material after initial approval will be subject to an additional scrutiny and approval process.

All agreements to translate and/or publish AAP manuals, medical journals, professional periodicals, e-learning products, or other publications will require a format agreement which may include a royalty.

Non-AAP Program Recognition or Endorsement

Permission to use language reflecting the AAP's endorsement of a non-AAP program shall be valid for a finite period that is negotiated on a case-by-case basis. Once the period covered by the agreement has expired, program developers are required to resubmit a request for use of the AAP's name and logo. The AAP may review the program and may withdraw its name and logo at any time, in the event that the program is revised or that new information becomes available to make AAP involvement inappropriate.

To receive AAP endorsement, a non-CME program must be reviewed and approved by the OED. On determination by the OED, additional review and approved by appropriate committees, sections, councils and other AAP experts following standard AAP procedures may be requested; and/or presented to the Board of Directors for action by either a standing board committee or the Executive Committee.

Requests for approval or endorsement activities not seeking or already designated for *AMA PRA Category 1 Credit(s)TM* are reviewed and approved on a case-by-case basis by the OED and the Executive Committee. Non-AAP organizations seeking recognition of their CME activities designated for *AMA PRA Category 1 CreditTM* may apply for AAP Credit designation of their CME activities.

Cooperative Programs Developed by the AAP and Outside Organizations

Programs developed cooperatively can be conducted with government agencies, not-for-profit and for-profit organizations.

The process for establishing a collaborative relationship will include consultation with appropriate AAP department directors who may have either a direct or tangential relationship to the program content, execution, and/or distribution. The approval process should follow standard AAP procedures. The Department of Finance shall review the cooperative program agreement for compliance with AAP practices and procedures on consultation fees and honorarium, licensing agreements, reimbursement fees and royalty arrangements. The Department of Development shall be consulted if any industry or foundation funding is involved or deemed appropriate.

Other relationships and circumstances may arise in which these Board of Directors policies and procedures are not directly applicable. In these cases, the OED shall be consulted and recommend whether Board of Directors review and approval are appropriate.

Use of AAP Program Logos and Marks with Supporting Organization's Name

Requests to develop a logo for specific AAP programs must be submitted to the OED for review and approval. All program logos and marks must then be reviewed and approved by the OED prior to use and must include the words: "A program of the American Academy of Pediatrics."

When an AAP program receives corporate or foundation support, the funder's logo cannot be incorporated into the program logo, thus implying a joint relationship. The logos may appear on the same page but must have sufficient space between them. The funder logo cannot be larger than the program logo.

With prior written approval, the AAP program logo or marks may be used by the supporting entity to promote the program, including but not limited to press releases. With the exception of cause marketing and/or Friends of Children Fund or Tomorrow's Children Endowment promotion, the

program/corporate/foundation logo may not be put on industry products or product packaging. All uses of the program logo by a corporate or foundation supporter must be prospectively reviewed and approved by the AAP to monitor appropriate usage and placement, and ensure that there is no implied product endorsement.

The words: "Supported (or made possible) by a grant (or gift) from _____" must be used to identify how the program has been supported. A disclaimer, appearing at the bottom of the page, must be required to ensure that there is no implied endorsement of the sponsor's product.

Oversight: Advisory Committee to the Board on Finance, Audit, & Compensation (ACBOF)

Creation/Revision Date: 10/05, rev. 5/10

TITLE: *Acknowledgments/Recognition*

BOARD POLICY:

All contributions, sponsorships, and grants are acknowledged annually by the AAP. Recognition of outside support for AAP programs (exclusive of government grants) shall be coordinated through the AAP Department of Development, including announcements of support in the media, in AAP publications, in electronic communications, in promotional materials, in other publications, on packaging, and on products of the program for which the support was given.

Language crediting full or partial support may read:

“_____ (Program name) is supported (in part, when only partial funding is provided) by a (educational, medical, research—modifier is optional) grant from _____ (organization name).”

It is only permissible to include the phrase, “makers of _____ (specific commercial product(s) or generic product(s) group name)” immediately following the corporate name; no other descriptive terms are allowed. Distinct product mention can only be made in credit lines when credit lines refer to only one commercial product by name or to a generic group of products, and the name of the commercial product is used only once in the credit line.

When the product is relevant to the program that is involved (eg, dental care brochure and toothpaste), special care must be exercised in the recognition language and its placement to avoid any implied AAP recommendation or endorsement of the product. Any modifications of the model set forth in these guidelines must be submitted in writing to the AAP Department of Development and the OED for review in consultation with the Executive Committee.

Department of Development will notify the manager of the area seeking funding of the name of the funder and coordinate all acknowledgments.

Letters signed by the AAP officers that are used to promote a particular corporate-supported program may not contain specific product mention, but may recognize corporate support and collaboration. Recognition of support from outside organizations may not include specific corporate titles in the naming of awards, lectureships or structures.

To guide recognition for endorsement of non-AAP programs, language crediting the producers of the program shall be negotiated on an individual basis with sufficient flexibility to allow phrases such as “produced in cooperation with,” “produced in association with,” and other similar acknowledgments. All language crediting participation must be approved by the OED.

Use of AAP Name and Logo on Programs
Officially Endorsed by the AAP

AAP endorsement of another organization's program does not imply and may not be represented as AAP endorsement of that organization or company or any of its other programs or products.

The AAP name and logo may be used in accordance with specifications outlined in the "Identity Program" book after approval by the Board of Directors. All permissions given to others to use the AAP name and/or logo will be documented in a written grant of permission that shall include appropriate restriction and controls on the manner and scope of such use. The AAP name and logo may not be used with any form of advertising of a commercial product or service or on non-AAP education materials that might imply AAP sponsorship. Before other organizations engage in the use of the AAP name and/or logo or other AAP resources for any purposes, they must 1) seek approval of their material by the AAP; 2) meet the established criteria for quality and accuracy; 3) prominently display a disclaimer stating that the AAP does not endorse this or any other commercial service or product; and 4) ensure that quotations and excerpts from AAP published material will be used only in a manner that does not distort the intended meaning and that conforms to the applicable federal regulations and the fair use doctrine.

Use of Supporting Organization's Name and Logo on AAP Materials

Acknowledgment of the sponsor/customer is permitted on the publication, medical journal, or professional periodical. Special care must be exercised in the recognition language and placement to avoid any implied AAP endorsement of the sponsor or product.

The form of acknowledgment of the sponsor/customer, including any modification of the cover, requires the review and approval of the OED in consultation with the Executive Committee.

Oversight: Advisory Committee to the Board on Finance, Audit, & Compensation (ACBOF)

Creation/Revision Date: Rev. 1/05, 5/10

TITLE: Advertising

BOARD POLICY:

Commercial Advertising

The AAP publishes its medical journals, professional periodicals, and other publications for the education and information of its members, subscribers, and others concerned with pediatric health care. It is the AAP's position that the content of advertisements in its publications, whether written or graphic and in print or online, should provide accurate and truthful information. Commercial advertising will be accepted when it is judged to be consistent with the stated purpose of a specific AAP publication, and consistent with high ethical standards and acceptable medical practice.

These guidelines for advertising are designed to help provide the maximum aid and protection to the patient, to assist the physician in the intelligent selection of therapeutic agents, and to provide a direct channel of communication between the advertiser and the pediatric community. To this end, the AAP has determined the following principles for advertising acceptance:

- Final authority for the acceptability of an advertisement (domestic or international) rests with the Department of Education, in consultation with the OED. Data concerning product safety or usefulness may be requested from the advertiser. Advertising copy shall be reviewed relative to the quality of the product advertised, claims for the product, general product usefulness, reputation of the manufacturer and technique of promotion. The editors, associate editors, and editorial boards of AAP medical journals and professional periodicals and other publications neither approve nor disapprove advertising.
- Advertisements must clearly identify the advertiser and the product or service being offered. Products that conform to the standards of the current editions of the US Pharmacopeia and the National Formulary, or their successors, may be accepted as advertising, provided acceptable claims are made in their advertisement. When a trade name assigned by a company for a medicinal product is other than the name given by the US Dispensatory, the latter title must be included in the text of the ad copy. New products that are not listed in the current edition of the US Dispensatory (or its successor) must use the exact chemical name until a title is assigned.
- Drug advertisements must include the full generic name of each active ingredient, and all active ingredients must be listed for nutritional products.
- The appearance of an advertisement in an AAP medical journal, professional periodical or other publication does not imply or constitute AAP endorsement of the product, manufacturer, or claims made for the product by the manufacturer. It is the responsibility of the manufacturer/advertiser to comply with all laws and regulations applicable to the marketing or sale of the product(s) or service(s) in the country/countries where the advertisement will be seen. Advertisements for pharmaceutical products (including new drug application products) that are subject to FDA oversight must comply with FDA laws and regulations regarding advertising and promotion. Acceptance of advertising by the AAP should not be interpreted as a guarantee that the manufacturer has complied with such laws and regulations.
- The AAP reserves the right to accept, reject, or cancel any advertisement at any time and to evaluate ad copy to ensure that it does not contain false or misleading statements or

information contrary to AAP policy. Advertising will not be accepted for publication if it is deemed to be in poor taste or offensive. Claims that include statistical statements or clinical studies must be based on studies by qualified individuals and documented by specific references to content published in recognized scientific journals. Articles accepted for publication but not yet published may also be used, but the name and date of issue of the journal involved must be furnished. Statements based on material approved by the FDA for the package insert are acceptable; documentation based on scientific exhibits or personal communications are not acceptable; all promotional claims must have complete citations to information to allow readers to critically evaluate the documentation. Quotations and excerpts from published papers are acceptable only if they do not distort the meaning intended by the author and conform to the applicable federal copyright laws and regulations.

- Products should be promoted on their own merits without resorting to unfair or improper comparisons to competitors' products. Advertisements should not be misleading or deceptive.
- All advertisements must be clearly identifiable to the reader as an advertisement. Online advertisements must be readily distinguishable from editorial content and the word "Advertisement" must be displayed. Advertisements may link off-site to a commercial Web site. An "Advertising Disclaimer" should appear on online advertising pages and hyperlink to approved disclaimer language. *This Web site has been developed by the American Academy of Pediatrics. The authors, editors, and contributors are expert authorities in the field of pediatrics. No commercial involvement of any kind has been solicited or accepted in the development of the content of this Web site. Advertising does not influence editorial decisions or content.* The appearance on AAP Web sites is neither a guarantee nor an endorsement by the AAP of the product, service, or company or the claims made for the product in such advertising.
- Commercial advertising shall be interspersed and placement shall be rotated throughout each print issue. Every effort shall be made to avoid placing ads for competing products in adjacent positions. Efforts will be made in placement to avoid any implied AAP endorsement of a product or manufacturer.
- Text or graphic ads, such as banner ads, may be placed in e-mail alerts for medical journals, professional periodicals and other publications.
- Any advertisement that distorts or inaccurately quotes an AAP policy statement, technical report, clinical report, or practice guideline or that uses the name of the AAP or an AAP entity in such a way as to imply endorsement of a product will not be accepted for publication.

Classified Advertising

Classified advertising policy will be published in the Classified Ads sections of AAP products accepting classified advertisements. Although the AAP believes the classified ads that it accepts are from reputable sources, the AAP does not investigate the offers made and assumes no responsibility concerning them. Publication of a classified advertisement neither constitutes nor implies AAP guarantee or endorsement of the claims made by the advertiser for the product or service. The AAP reserves the right to accept, reject, or cancel any advertisement at any time and to evaluate ad copy to ensure that it does not contain false or misleading statements or information contrary to AAP policy.

House Advertising

House ads (print and online) promote AAP activities and products as well as outside activities in which the AAP is significantly involved, such as jointly sponsoring a CME course. House ads are accepted for publication at the discretion of the managing editors and on a space-available basis. Managing editors will scrutinize all house ads with the same diligence used for classified ads and reserve the right to modify the wording of house ads as warranted.

Technical and Scientific Exhibits

Commercial exhibits and advertisements are promotional activities and not continuing medical education. Therefore, monies paid by commercial interests to the AAP for these promotional activities are not considered to be 'commercial support' as defined by the ACCME. However the AAP is expected to fulfill the ACCME Standards for Commercial Support and to use sound fiscal and business practices with respect to promotional activities.

Commercial technical and scientific exhibits provide pediatricians and health care professionals with current information on products and services related to pediatric health care. These exhibits should be designed to help the attendees maintain high standards in the delivery of health care to pediatric patients and to strengthen the management of care in health care settings. In addition, professional products and services are available that are related to the pediatrician's professional interests. Guidelines in establishing and maintaining AAP standards for commercial exhibits are as follows:

The National Conference and Exhibition (NCE) Planning Group, the Committee on Continuing Medical Education (COCME), or the Department of Education will determine when, to what extent, and who shall be entitled to participate as exhibitors on the basis of the following guidelines:

- Products and services exhibited must meet the standards of generally accepted medical practice.
- Exhibitors may be required to show evidence of FDA approval of a product or submission to FDA for approval when required; this requirement applies to medical devices, drugs, cosmetics, and other FDA-regulated products. In accordance with this policy, if non-FDA-approved products or services that require FDA approval are exhibited, the AAP may forbid installation or require removal of the exhibit or discontinuance of any promotion, wholly or in part.
- At the AAP's discretion, technical data and scientific documentation of products and services may be required for products not regulated by the FDA or other government agencies to ensure that such products and services meet the standards of generally accepted medical practice.
- Food products and nutritional supplements will be accepted for exhibit at AAP meetings only when their safety and usefulness are documented to the AAP's satisfaction.
- Professional products and services, such as office furnishings and equipment, business consulting services, financial institution services, and marketing services, will be accepted for exhibit at AAP meetings only when they are relevant to the pediatrician's professional interests.
- Exhibits will not be accepted if the AAP deems them to include false or misleading statements.

- Products and services will be accepted for exhibit only if they are in harmony with the AAP's stated purpose to serve the pediatric medical profession and promote child health.
- Booth rental costs established by the AAP and all other ancillary costs and expenses for these exhibits are the sole responsibility of the sponsoring firm or company.
- Once an AAP exhibitor application is approved by the Department of Education, all participating exhibiting firms and companies are subject to AAP Rules and Regulations and AAP policies governing technical and scientific exhibits.

Although the AAP welcomes opposing views and constructive critique, the Exhibit Hall and/or exhibit space at AAP meetings or educational activities, given its specific intent and guidelines, is not an appropriate venue for single cause-related advocacy. The Exhibit Hall functions strictly to inform pediatricians on products and services related to pediatric health care or professional products or services related to the pediatrician's professional interests. Given the latter, although the AAP has no intentions of limiting appropriate vendors' initial participation in AAP exhibitions, experience and attendee feedback may alter subsequent exhibition.

Refer to additional information on exhibit functions at CME activities under the section entitled "Continuing Medical Education" / "Management of Advertising and Promotions in CME Activities."

Oversight: Advisory Committee to the Board on Education (ACBOE) and Advisory Committee to the Board on Marketing & Publications (ACBOMP)

Creation/Revision Date: Rev. 1/05, 5/10

TITLE: *Publishing*

BOARD POLICY:

Permissions and Reprints

Permission to reprint articles, excerpts, editorial content, or visual elements, such as charts or graphs, from AAP medical journals, professional periodicals and other publications in any delivery modality may be granted by the appropriate permissions coordinator, editor, or managing editor, subject to approval of intended use. Notice of AAP copyright and/or the following language must be clearly visible on any reprinted material: "Reprinted with permission of the American Academy of Pediatrics." All permissions given to others to use AAP content will be documented in a written grant of permission that shall include appropriate restrictions and controls on the manner and scope of such use.

Individuals and organizations may purchase bulk copies of articles from AAP medical journals and professional periodicals through the AAP or its authorized agent(s). Corporate logos or product names may not be printed on such reprint orders without prior AAP approval.

Special Sales

To advance the AAP's goal to be the premier worldwide source of credible, timely publications on pediatric health care, the AAP may accept outside support for printing and distribution of existing AAP publications. Collaboration with an outside organization does not imply and may not be represented as the AAP endorsement of that organization or any of its programs or products.

A special sale is defined as a sale of a large quantity of an AAP publication to a customer for use as a premium (eg, to be given away free or in a self-liquidating offer). The following guidelines have been developed for the review and approval process for special sales of AAP publications.

- Identification of the customer may be permitted on the publication including as appropriate, modification of the cover. Special care must be exercised in the recognition language and placement to avoid any implied AAP endorsement of the sponsor or product. Any modification of the cover or any other part of the publication must clearly identify the intentions of the purchase (ie, "A gift from _____").
- Any special sale of an AAP publication must clearly indicate that the content has not been influenced by an outside interest. Therefore, the following disclaimer must be placed in a prominent location in the publication:
"This publication has been developed by the American Academy of Pediatrics. The authors, editors, and contributors are authorities in the field of pediatrics. There has been no commercial involvement by [insert name of customer] or others in the development of the content of this publication."
- Terms of the special sale, including the form of identification of the customer, and any modification of the cover, shall require the review and approval of the OED in consultation with the Executive Committee. Terms of the sale will comply with applicable industry guidelines.
- The special sale will be discussed with the editor(s)/author(s) of the publication prior to finalization of the sale.

Oversight: Advisory Committee to the Board on Marketing & Publications (ACBOMP)

Creation/Revision Date: Rev. 1/05, 5/10

TITLE: *Web Sites*

BOARD POLICY:

The AAP hosts a variety of Web sites at the national level. The AAP will not accept sponsorship for its World Wide Web home page (www.aap.org). If an organization sponsors the development of an AAP Web site other than the aap.org home page, an acknowledgment of such sponsorship may be made on the sponsored site home page.

Use of the AAP name and/or logo on the Web site must adhere to established AAP policies and shall be subject to the advance review and approval by the AAP and other appropriate limitations on the scope and manner of use.

The guidelines for use of AAP materials on other organizations' Web sites are the same as existing guidelines for use of AAP materials in print, audio, video, and other communication formats. Development of such collaborative relationships must adhere to established AAP endorsement/cosponsorship policies.

The Department of Marketing and Publications will review requests to publish content from AAP publications on external Web sites considering issues of copyright, revenue, and impact on sales of print, online, and video/audio material.

The Department of Education will review all requests to publish content from medical journals, professional periodicals, and continuing medical education materials on external Web sites considering issues of copyright, revenue, and impact on sales of print, online, video/audio, and e-learning material.

In all instances, such requests shall be reviewed at the outset of the planning and negotiation to ensure that the AAP information proposed to be published on external Web sites does not compete or conflict with information on the AAP's Web site.

Information must be obtained on how and who is funding the Web site on which AAP material will appear.

Oversight: Advisory Committee to the Board on Marketing & Publications (ACBOMP)

Creation/Revision Date: Rev. 1/05, 5/10

TITLE: *Continuing Medical Education*

BOARD POLICY:

Commercial Support

The AAP shall adhere to the ACCME Essential Areas and their Elements, Updated Criteria, Standards for Commercial Support, and Accreditation Policies and the AAP Policy on Disclosure of Financial Relationships and Resolution of Conflicts of Interest for AAP CME Activities.

The ACCME defines “commercial interest” as any entity producing, marketing, re-selling, or distributing health care goods or services consumed by, or used on patients.

The AAP may solicit commercial support for its CME activities in the form of educational grants. The AAP may also solicit commercial support in the form of other resources or services as appropriate.

Disclosures Relevant to Potential Commercial Bias

Any individual with control over CME content (eg, faculty, authors, planning groups, editorial boards, etc.) must disclose to the AAP and subsequently to learners any relevant financial relationship(s), in any amount occurring within the past 12 months, and the disclosure shall include the following information:

- The name of the individual
- The name of the commercial interest(s), and
- The nature of the relationship the person has with each commercial interest.

Any individual with control over CME content (ie, faculty, authors, planning groups, editorial boards, etc) but with no relevant financial relationship(s) must inform the learners that no relevant financial relationship(s) exist.

“Disclosure” must never include the use of a trade name or a product-group message.

The AAP must communicate all disclosure information to learners prior to the beginning of the educational activity.

Management of Advertising and Promotions in CME Activities

Arrangements for commercial exhibits or advertisements cannot influence planning or interfere with the presentation of CME activities; nor can they be a condition of the provision of commercial support for CME activities.

Product-promotion material or product-specific advertisement of any type is prohibited in or during CME activities. The juxtaposition of editorial and advertising material on the same products or subjects must be avoided. Live (staffed exhibits, presentations) or enduring (printed or electronic advertisements) promotional activities must be kept separate from CME. The ACCME Standards for Commercial Support specify requirements for advertisements and promotions in all forms of CME delivery.

Educational materials that are part of a CME activity, such as slides, abstracts, and handouts, cannot contain any advertising, trade name, or a product-group message.

Print or electronic information distributed about the non-CME elements of a CME activity that are not directly related to the transfer of education to the learner, such as schedules and content descriptions, may include product-promotion material or product-specific advertisement.

The AAP will not use a commercial interest as the agent providing or distributing a CME activity to learners, e.g., distribution of self-study CME activities or arranging for electronic access to CME activities.

Online CME

The AAP will not place its CME activities on a Web site owned or controlled by a 'commercial interest', as defined by the ACCME. With clear notification that the learner is leaving the educational Web site, links from the AAP Web site to pharmaceutical and device manufacturers' product Web sites are permitted before or after the educational content of a CME activity, but shall not be embedded in the educational content of a CME activity. Advertising of any type is prohibited within the educational content of CME activities on the internet including, but not limited to, banner ads, subliminal ads, and pop-up window ads. For computer based CME activities, advertisements and promotional materials may not be visible on the screen at the same time as the CME content and not interleaved between computer 'windows' or screens of the CME content.

Journal-Based CME

None of the elements of journal-based CME can contain any advertising or product group messages of 'commercial interests.' Disclosure information cannot contain trade names. The learner must not encounter advertising within the pages of the article or within the pages of the related questions or evaluation materials.

Oversight: Advisory Committee to the Board on Education (ACBOE)

Creation/Revision Date: 1/05; rev. 5/07, 5/10

TITLE: *Industry Symposia and Foundation Symposia*

BOARD POLICY:

The AAP National Conference & Exhibition (NCE) is the only AAP meeting during which industry symposia and foundation symposia are allowed to take place. These symposia are defined as 1) educational programs that must be designated for *AMA PRA Category 1 Credit™*; 2) planned and implemented by an organization external to the AAP; 3) not endorsed by the AAP; and 4) not part of the AAP official conference program.

The Committee on Continuing Medical Education (COCME) will not limit AAP NCE faculty members from participating in industry symposia or foundation symposia. However, NCE Planning Group members and Committee on CME voting members are not allowed to participate as faculty members at industry symposia and foundation symposia.

Oversight: Advisory Committee to the Board on Education (ACBOE)

Creation/Revision Date: 1/05; rev. 5/07, 5/10

TITLE: *Use of the AAP Membership List*

BOARD POLICY:

The AAP Membership List may be rented to outside organizations. AAP Fellows will be given the option of having their addresses excluded from all such non-AAP mailings. Requests to rent the membership list shall be subject to the review and approval by the Department of Marketing and Publications.

The proposed use of the list must be for mailing an item that promotes a program, product, or service that can be reasonably expected to be of interest to AAP members. The AAP Membership List may also be made available for sampling purposes for research contingent on written documentation that the investigator has been granted exemption or received approval from a federally registered Institutional Review Board (IRB).

The AAP reserves the right to reject any list rental request. Examples of reasons to reject list rental requests include:

- Concerns about the reliability or integrity of the customer requesting the list.
- Concerns that the list may not be used as stated in the request.
- Materials to be disseminated are distasteful or not relevant to pediatric practice.
- Publicity or advertising is included that might imply, through copy or layout, AAP endorsement of an organization, its products, or services.
- Communication that would tend to mislead, misinform, or deceive.
- Communication involving the promotion of the use or sale of, products harmful to children's health, for example, tobacco or alcohol products.
- Communication on a drug product, catalog of drug products, or medical equipment or devices, involving a premium offer; however the list may be made available for communication on drug products, catalog of drug products, or medical equipment and devices involving trade discounts when such discounts are applied to drug products, medical equipment, or medical devices.
- For fund-raising purposes or membership solicitations by organizations outside of the AAP and its chapters.

Oversight: Advisory Committee to the Board on Marketing & Publications (ACBOMP)

Creation/Revision Date: 1/05; rev. 5/07, 5/10

TITLE: *Public Education Campaigns*

BOARD POLICY:

Consistent with the AAP reputation and credibility among the media and public, many organizations seek to align themselves with the AAP to achieve this level of credibility while at the same time generating visibility. AAP participation in a campaign with another organization should be based on whether the initiative's goals/activities are consistent with AAP goals, objectives, and policies. However, there should be room for flexibility. Participation may need to be determined on a case-by-case basis. To safeguard the AAP name/reputation and to assist both AAP staff and staff of organizations wishing to work with the AAP, the following guidelines have been established:

- All appropriate AAP departments should be involved in the development of AAP-supported initiatives or campaigns, including but not limited to public relations, development, committees, sections, councils, chapters and district affairs, and marketing.
- An AAP staff member should serve as point person to ensure information and activities are communicated to others.
- The staff person responsible for the core issue of a campaign (eg, injury prevention, nutrition, infectious diseases) should serve as the primary contact.
- The AAP point person shall be responsible for notifying other AAP departments of a pending program/activity as soon as a request is received.
- If a campaign consists solely of media relations, Communications will facilitate and retain control over all activities.
- The AAP name or logo cannot be used on any media, member, or public education materials without approval by the OED in consultation with the Executive Committee.

Cause Marketing

A cause marketing relationship is defined as a mutually beneficial relationship between a for-profit organization and a not-for-profit organization in which the former pursues marketing and promotional objectives and the latter pursues fund-raising and public relations objectives. Typical examples include coupon redemption from consumer products sales; and special events, such as walk-a-thons, cultural events, or the Special Olympics. AAP Department of Development should have knowledge of and participate in evaluating all such ventures in which the AAP may participate.

When considering a cause-marketing relationship, the following criteria must be met: 1) the proposed for-profit partner must represent a product or service that is compatible with the AAP image and its commitment to children, including the goals and objectives outlined in the AAP strategic plan; 2) the promotion must be presented as the corporation's and/or product's promotion and support of a special pediatric issue or cause and not as an AAP endorsement of the corporation or product; and 3) the marketing scope should be sufficiently broad (national or regional) to enable the AAP to accomplish significantly more than it could accomplish without the proposed program.

Final approval requires having a written agreement approved by the OED and the corporation to ensure the maintenance of the integrity and quality of the AAP's name, logo and image. The agreement must address the following issues:

- Any use of the AAP name, logo, or program names and logos in print, electronic, broadcast, or other materials must have written approval from the AAP for concept and

exact usage prior to the production or release (when appropriate, materials should include a disclaimer, such as: “The American Academy of Pediatrics does not endorse any product or service”).

- The involvement of official spokespersons in the cause-marketing program must be identified and agreed to in advance by all participants.
- The duration of the program and related use of the AAP name and logo must be defined in advance.
- If donations are involved, the agreement must specify the basis for calculating the funds (eg, percentage of coupon redemption or sales), the purpose for which the funds will be used, accounting procedures, disbursement of the funds, the minimum and maximum amount to be received by the AAP, and responsibility for the program expenses.

Oversight: Executive Committee/Board of Directors

Creation/Revision Date: 1/05; rev. 5/07, 5/10
